

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

KELLY E. TUBMAN,
Plaintiff,

v.

USAA CASUALTY INSURANCE
COMPANY,
Defendant.

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:
:
:
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CIVIL ACTION

NO. 12-cv-7121

ORDER

AND NOW, this 29TH day of April 2013, it is **ORDERED** that:

- Defendant's Motion to Dismiss Counts III, IV, and V of Plaintiff's Amended Complaint (ECF No. 19) is **GRANTED**.
- Defendant's Motion to Strike references to "fiduciary duty" in Plaintiff's Amended Complaint (ECF No. 19) is **DENIED**.

s/Anita B. Brody

ANITA B. BRODY, J.

Copies **VIA ECF** on _____ to:

Copies **MAILED** on _____ to: